

DATE OF DEPOSIT 3/4/99

EJ355821635US

Please type a plus sign (+) inside this box → ☒PTO/SB/05 (12/97)
Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

119994-5

Total Pages

55

First Named Inventor or Application Identifier

Howard M. Kingston

Express Mail Label No.

EJ355821635US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages **44**]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets **8**]
4. Oath or Declaration [Total Pages **52**]
a. ☐ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a
copy of the oath or declaration is supplied under Box 4b,
is considered as being part of the disclosure of the
accompanying application and is hereby incorporated by
reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Copy
b. ☐ Paper Copy (identical to computer copy)
c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☒ Small Entity ☐ Statement filed in prior application.
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation☐ Divisional☒ Continuation-in-part (CIP)of prior application No: 08 / 458,757**18. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME

Arnold B. Silverman, Esquire

Eckert Seamans Cherin & Mellott, LLC

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STATE

PA

ZIP CODE

15219

COUNTRY

US

TELEPHONE

412-566-2077

FAX

412-566-6099

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<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="font-size: small; margin: 5px 0;">Note: Effective October 1, 1997. Patent fees are subject to annual revision.</p>		Complete If Known	
TOTAL AMOUNT OF PAYMENT (\$) 578.00		Application Number	
		Filing Date	
		First Named Inventor Howard M. Kingston	
		Group Art Unit	
		Examiner Name	
		Attorney Docket Number 119994-5	

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																												
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number 02-2556</p> <p>Deposit Account Name Arnold B. Silverman</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.16 at the Mailing of the Notice of Allowance</p> <p>2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Code</th> <th>Small Entity Code</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139 130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,620</td><td>147 2,520</td><td>For filing a request for reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>216 55</td><td>Extension for reply within first month</td></tr> <tr><td>116</td><td>400</td><td>216 200</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>950</td><td>217 475</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,510</td><td>218 755</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>2,060</td><td>228 1,030</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>310</td><td>219 155</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>310</td><td>220 155</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>270</td><td>221 135</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240 55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,320</td><td>241 660</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,320</td><td>242 660</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>450</td><td>243 225</td><td>Design issue fee</td></tr> <tr><td>144</td><td>670</td><td>244 335</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122 130</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123 50</td><td>Petitions related to provisional applications</td></tr> <tr><td>126</td><td>240</td><td>126 240</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>790</td><td>246 395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>149</td><td>790</td><td>249 395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>Other fee (specify) _____</p>	Large Entity Code	Small Entity Code	Fee Description	Fee Paid	105	130	205 65	Surcharge - late filing fee or oath	127	50	227 25	Surcharge - late provisional filing fee or cover sheet	139	130	139 130	Non-English specification	147	2,620	147 2,520	For filing a request for reexamination	112	920*	112 920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action	115	110	216 55	Extension for reply within first month	116	400	216 200	Extension for reply within second month	117	950	217 475	Extension for reply within third month	118	1,510	218 755	Extension for reply within fourth month	128	2,060	228 1,030	Extension for reply within fifth month	119	310	219 155	Notice of Appeal	120	310	220 155	Filing a brief in support of an appeal	121	270	221 135	Request for oral hearing	138	1,510	138 1,510	Petition to institute a public use proceeding	140	110	240 55	Petition to revive - unavoidable	141	1,320	241 660	Petition to revive - unintentional	142	1,320	242 660	Utility issue fee (or reissue)	143	450	243 225	Design issue fee	144	670	244 335	Plant issue fee	122	130	122 130	Petitions to the Commissioner	123	50	123 50	Petitions related to provisional applications	126	240	126 240	Submission of Information Disclosure Stmt	581	40	581 40	Recording each patent assignment per property (times number of properties)	146	790	246 395	Filing a submission after final rejection (37 CFR 1.129(a))	149	790	249 395	For each additional invention to be examined (37 CFR 1.129(b))
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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Arnold B. Silverman		Reg. Number 22,614	
Signature		[Signature]		Deposit Account User ID 02-2556	
		Date 3/4/99			

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STATEMENT OF DETERMINING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION

Docket Number (Optional)
119994-5

Applicant, Patentee or Identifier: Howard M. Kingston
Application or Patent No.: _____
Filed or Issued: _____
Title: Method and Apparatus for Microwave Assisted Chemical Reactions
(Continuation-in-part of Kingston U.S. Serial No. 08/458,757)

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION DUQUESNE UNIVERSITY OF THE HOLY GHOST
ADDRESS OF NONPROFIT ORGANIZATION 505 Administration Building
Pittsburgh, PA 15282

TYPE OF NONPROFIT ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention described in:

- ☒ the specification filed herewith
☐ application Serial No. _____, filed _____
☐ Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 2.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Linda S. Drago
TITLE IN ORGANIZATION OF PERSON SIGNING General Counsel
ADDRESS OF PERSON SIGNING Duquesne University, 505 Administration Bldg., Pittsburgh, PA 15282

SIGNATURE Linda S. Drago DATE _____